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E.O. 12958: DECL: 08/26/2018  
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KCRM](#) [KTER](#) [UZ](#)  
SUBJECT: UZBEKISTAN: TWELVE CONVICTED OF ALLEGED HIZB  
UT-TAHRIR PRISON CONSPIRACY IN NAVOIY

REF: A. TASHKENT 777  
[1](#)B. TASHKENT 633

Classified By: Political Officer Tim Buckley for reasons 1.4 (B,D)

[1](#)1. (C) Summary: Poloff met on August 22 with Akhmadjon Madmarov, a Margilan-based human rights activist whose two sons and two nephews are incarcerated for alleged membership in extremist organizations. He reported that his son Habibullah was convicted on August 15 along with 11 fellow inmates of a Navoiy prison colony for a conspiracy plot to form a Hizb ut-Tahrir cell. Habibullah was sentenced to 16.5 years in a strict-regime prison, which is in addition to the 3.5 year sentence authorities tacked on this April for alleged violations of internal prison rules. Akhmadjon said the case is "absurd" and will be appealed by the family's attorney; a hearing is scheduled for September 5. Akhmadjon also noted that the ICRC visits do not change anything and have "a harmful effect" on prisoners' life due to reprisals and crackdowns. We think Akhmadjon's claims that Uzbek authorities looked for ways to keep his son in jail are credible, and they are casting the net too widely in their efforts to find and punish Hizb ut-Tahrir members. However, we believe the ICRC prison visits have had a positive impact during the course of the six-month trial period. Poloff also facilitated transfer of funds from Human Rights Watch to assist with medical treatment for one of Akhmadjon's other sons, Hamidullo, who was recently released from jail. End summary.

Extension of Sentence  
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[1](#)2. (C) On August 22 poloff met with Akhmadjon Madmarov, who just returned from visiting one of his imprisoned sons, Habibullah Madmarov, at Prison Colony Number 29 in Kattakurgan. Madmarov also has a son, Abdulla, serving the tenth year of a 14-year sentence in Tashkent Province, and another son, Hamidullo, who was recently released from jail (ref). He also has two nephews who are incarcerated in Qarshi; all were convicted for membership in religious extremist organizations. As reported in ref A, Akhmadjon

Madmarov reiterated that on April 1 Habibullah was found guilty of "violating the rules of the prison" and sentenced to 3.5 additional years in prison as his initial sentence was expiring. Akhmadjon Madmarov obtained and shared a copy of a court document outlining these violations -- shirking work assignments, etc -- but he noted it made no reference to the more serious Hizb ut-Tahrir conspiracy authorities subsequently tried his son for.

#### Another Conviction

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13. (C) Akhmadjon Madmarov reported that his son Habibullah was also charged along with 11 other fellow inmates of a conspiracy that they allegedly organized in the aftermath of the Andijon events. (Note: He provided an Uzbek language copy of the lengthy investigation and verdict documents obtained by the family's attorney. End note.) According to the verdict, the accused organized a Hizb ut-Tahrir cell inside the prison, "with the purpose of changing the constitutional order in Uzbekistan to call for religious extremism and separatism." The closed trial, accusing Habibullah and the other religious prisoners of violations of several articles of the Uzbek Criminal Code, began on August 4 and was concluded on August 15 with a guilty verdict for all twelve. Habibullah was sentenced to 16.5 years which, significantly, must be served at a strict-regime prison. (Note: Habibullah is presently in a regular-regime prison, which his father Akhmadjon Madmarov reported already includes "very poor conditions inside." End note.) Habibullah told poloff that a total of 37 inmates were actually charged,

although the verdict only names 12; there are more names on the investigation document and it is possible that the others will be convicted separately.

14. (C) Akhmadjon Madmarov complained that the charges are "absurd," and that the lengthy court document does not include any specific allegations of what the group did. He added that his son maintains his innocence, and noted that "a state should protect its citizens, whereas this trial was unfair." In his opinion, "probably no more than three to five of this group" actually belonged to Hizb ut-Tahrir. He added that the religious prisoners were placed in a separate area of the prison from the general population, which he said made it easier for authorities to allege the group was organizing. Akhmadjon Madmarov confirmed that an attorney was present for the trial (despite being given short notice) and has filed an appeal; the hearing will take place on September 5 in Navoiy. Akhmadjon Madmarov was told he cannot visit his son again until the appeal is complete.

#### ICRC Visits "Harmful"

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15. (C) Poloff asked whether he thought prison conditions were improving as a result of ICRC visits throughout Uzbekistan, to which Akhmadjon Madmarov replied that such visits "are only harmful." He explained that there are consequences for the prisoners after they talk to ICRC visitors and that prison officials resent criticism that ICRC passes along to the Government of Uzbekistan. (Comment: With so many close family members incarcerated, Akhmadjon Madmarov is likely emotional about this; we continue to believe that, on balance, conditions at prisons are improving throughout the country as a result of the ICRC visits. The six-month trial period ends on September 11, and the ICRC Regional Delegation in Central Asia requested the Ambassador's assistance in pushing for an extension. End comment.)

#### Funds via Human Rights Watch

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16. (C) Human Rights Watch Country Researcher, Igor Vorontsov, who still follows human rights cases closely despite being barred by the Government of Uzbekistan from working in the country, facilitated a money transfer from a private donor to help Akhmadjon Madmarov pay for medical treatment for his son

Hamidullo, who was recently released from prison (ref C).  
Poloff passed along the USD 900 wire deposit data, which  
Akhmadjon Madmarov greatly appreciated.

Comment:

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¶7. (C) We agree with Akhmadjon Madmarov's claims that the Uzbek authorities were looking for ways to keep his son Habibullah and other inmates accused of membership in extremist religious organizations behind bars. The court documents he obtained from the attorney add to his credibility, and it seems inconsistent to tack on 3.5 years for petty internal violations without any mention of the more serious accusations of group conspiracy Habibullah was subsequently charged with. The Government of Uzbekistan is casting its net too broadly in its quest to reign in religious extremists with little regard for the disastrous impact that dubious trial proceedings may have on its criminal justice system or human rights reputation.

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